

SENTENCING MINUTES

DATE: September 25, 2024 CASE NUMBER: 3:23CR137(DJN)

JUDGE: David J. Novak, USDJ

CT REPORTER: Ruth Levy, OCR

INTERPRETER: _____

UNITED STATES OF AMERICA

Timothy Belevetz, AUSA

v.

John Gibson

COUNSEL

AVISHEK PANTH
KENNETH R. SIMON, JR., ESQ.

SENTENCING ON COUNT(S): 1 ☒ Criminal Information ☐ Indictment ☐ Superseding Ind.

PRELIMINARY MATTERS: VICTIMS NOTIFIED. Court address
loss v. INTENDED loss w/GOVT. Downward departure motion
DENIED. Variance GRANTED.

OBJECTIONS TO PSR: Adopted as written

STATEMENTS MADE BY: GOV'T ☒ DEFENSE COUNSEL ☒ DEFT ☒

ON MOTION OF GOV'T, ☐ INDICTMENT ☐ REMAINING CTS. DISMISSED.

DEFENDANT TO VOLUNTARILY REPORT TO DESIGNATED INSTITUTION

ON October 28, 2024 BY: NOON
☒ IF NO DESIGNATION MADE, REPORT TO U.S. MARSHAL IN RICHMOND
DEFT AGREES TO APPEAR AS DIRECTED

DEFT ADVISED OF RIGHT OF APPEAL within 14 days of today ☒

DEFT REMANDED TO CUSTODY ☐

CASE SET: 2:00 BEGAN: 2:00 ENDED: 3:00 TIME IN COURT: 1:00

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SENTENCE TEXT

COUNT 1 IMPRISONMENT 43 MOS. CONCURRENT () CONSECUTIVE ()
 CREDIT FOR TIME SERVED ON THIS CHARGE (☒)
 SUPERVISED RELEASE 3 YEARS
 PROBATION _____ YEARS
 FINE \$ 4,600.00 () Fine not imposed
 SPECIAL ASSESSMENT \$ 100.00 due immediately

COUNT _____ IMPRISONMENT _____ MOS. CONCURRENT () CONSECUTIVE ()
 SUPERVISED RELEASE _____ YEARS CONCURRENT ()
 PROBATION _____ YEARS CONCURRENT ()
 FINE \$ _____ () Fine not imposed
 SPECIAL ASSESSMENT \$ _____ due immediately

COUNT _____ IMPRISONMENT _____ MOS. CONCURRENT () CONSECUTIVE ()
 SUPERVISED RELEASE _____ YEARS CONCURRENT ()
 PROBATION _____ YEARS CONCURRENT ()
 FINE \$ _____ () Fine not imposed
 SPECIAL ASSESSMENT \$ _____ due immediately

CONSENT ORDER OF FORFEITURE MADE A PART OF JUDGMENT IN CASE ()

RESTITUTION ORDERED: _____

RECOMMENDATION(S) TO BOP: located in Chipley Florida
 (☒) Designate dft. to a facility near family () Designate dft. to _____ FCI
 () SHOCK Incarceration Program () BRAVE Program
 () Educational / Vocational training () BOP 500-hr intensive drug treatment program
 () UNICOR program () with _____ portion of earnings directed to child support
 () OTHER: _____

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SPECIAL CONDITIONS of Probation / Supervised Release:

- ☒ (1) Incur no new credit without approval of probation officer
- ☒ (2) Provide probation officer with access to financial information
- ☐ (3) Perform community service _____ HOURS during period of supervision
- ☒ (4) Participate in drug/alcohol treatment; partial Pay cost of treatment
- ☐ (5) Participate in mental health treatment; _____ Pay cost of treatment
- ☐ _____ Participate in anger management
- ☐ (6) Participate in home confinement program for _____ with monitoring
- ☐ _____ Permitted to work, attend church, or other approved activities
- ☐ _____ Maintain telephone without special features; no cordless phone
- ☐ _____ Pay costs of electronic monitoring
- ☐ (7) Placement in a Community Confinement Center for _____ (term)
- ☐ (8) Defendant to be surrendered to BICE for deportation proceedings
- ☐ _____ If deported, defendant to remain outside the United States
- ☐ (10) Mandatory drug testing waived
- ☐ _____ Probation officer may still administer drug test if deemed appropriate
- ☐ (11) Pay child support in amount ordered by social services or Court
- ☐ (13) Serve intermittent confinement on weekends for a period of _____ DAYS
- ☐ (14) No possession of pager, cellular telephone, or other handheld communication device
- ☒ (15) Defendant shall pay any balance owed on the S/A imposed by the Court
- ☒ Pay in installments of not less than \$ 150.00 per month, to begin 30 / 60 days after start of supervision until paid in full
- ☒ (16) Waive all rights of confidentiality regarding mental health treatment (or other treatment) to allow release of information to Probation, etc.
- ☐ (17) Commencing _____, and continuing for _____, defendant may operate a motor vehicle only for purposes of work and court, including travel to the Probation Office and alcohol treatment program
- ☒ (18) Defendant to apply monies received from tax refunds, lottery winnings, and any anticipated or unexpected financial gains to the Court-ordered financial obligation

☐ (---) Other special conditions:
